



Official Minutes of the Planning and Zoning Commission Meeting
Held January 28, 2008 6:00 p.m. at the
City of Cottonwood Council Chambers
826 North Main Street, Cottonwood, Arizona

Item #1 - **Call to Order**

Chairperson Gillespie called the meeting to order at 6:00 p.m.

Item #2 - **Roll Call**

Chairperson Gillespie	Present	Commissioner Kevin	Present
Vice Chairperson Kiyler	Present	Commissioner Lovett	Present
Commissioner Fisher	Present	Commissioner Smith	Present
Commissioner Gonzales	Present		

Staff Present:

George Gehlert, Community Development Director
Charlie Scully, Planner
Carol Hulse, Planning Technician

Public Present:

Shirley Smith
Jean Ellen Wilder

Consideration of minutes of the December 17, 2007 Commission meeting.

Commissioner Gonzales moved to approve the regular Commission meeting minutes of 12/17/07 with one correction – page 5, paragraph 4. “Ms. Hopkins added that she also owns property in Cottonwood” should read, “Ms. Hopkins added that her property is within the City of Cottonwood limits.” Vice Chairperson Kiyler seconded and the motion carried unanimously.

Election of Chair and Vice Chair to serve January through December 2008.

Commissioner Kevin moved to retain the existing officers through 2008 (Chairperson Gillespie and Vice Chairperson Kiyler). Commissioner Gonzales seconded and the motion carried unanimously.

Appointment of representative to the Development Review Board for the period from January through June 2008.

Commissioner Lovett volunteered. Commissioner Fisher moved to appoint Commissioner Lovett to represent the Commission on the Development Review Board for the period of January through June 2008. Commissioner Smith seconded and the motion passed with a unanimous vote.

PCU 08-002 Consideration of a request for a 24-hour materials processing plant for processing and removal of mining slag on a 12.25 acre portion of a site located on the Verde Valley Fair Association property north of Hwy. 89A between 6th and 12th streets in a C-F (Community Facilities) zone. The application also includes a request for alternative surfacing improvements for interior parking and access areas as set forth by the Cottonwood Zoning Ordinance Section 406.C.2c and for the placement of 80-foot tall storage silos and catwalk structures. APN: 406-42-097M (a portion of). Owner: Verde Valley Fair Assoc. Applicant: Minerals Research & Recovery, Inc. Agent: Thomas C. Oakes.

Director Gehlert presented the staff memo beginning by providing the above information. He said that, at this time, the applicant is requesting that the Commission postpone their review of the above referenced Conditional Use Permit until February 25. The reason for the postponement is to allow additional time to accomplish analysis of related sound impacts and to facilitate all necessary notification of adjacent property owners, although notification is not required by code.

An overview of the request was heard by the City Council as part of their work session on January 24.

Director Gehlert showed the site location and explained there could be ten trucks per day using a private drive from Aspen to 6th Street. He discussed the surrounding uses, the potential noise, and that staff asked for a contour showing noise equivalent to a car. He wants to invite the neighborhood to a meeting because of potential impacts.

Director Gehlert said that staff recommends the Commission postpone review of this item until February 25, 2008.

Questions and comments during an extensive discussion expressed the following concerns and information.

- Place aesthetic controls on the 80-foot silos.
- What would the zoning be after slag is removed.
- Alternate routes for trucks.
- Amount of money the City would make from the operation.
- Is there a mining tax.
- How much water would be used for dust control.
- The applicants are after aggregate, not minerals.
- It is a different operating in Clarkdale.
- How noise testing would be done is unknown.
- Can stipulations be reversed or added after a few years.
- Would the project comply with the noise ordinance.
- The noise issue must be addressed up front and the stipulations must be specific.
- Noise is difficult to be specific about.
- Must have standard attached to the conditional use permit.
- Too many conditions could make the project cost prohibitive.
- We need a contribution toward road maintenance.
- If trucks exceed ten per day, it would be handled at the next review.
- Require that they dismantle the equipment and haul it out when they are finished with the site.

- Is material toxic? (Staff responded that they were told it is inert.)
- Run-off during monsoons. (Staff responded that they will have to get a permit through ADEQ.)
- What can be done with the rest of the site.

Director Gehlert said there would be a neighborhood meeting before this comes back to P&Z. However, the P&Z Commission hearing would be the only hearing.

Chairperson Gillespie moved to postpone PCU 08-002 until February 25. Commissioner Smith seconded and the motion carried unanimously.

Discussion regarding possible standards for guest homes, including issues relating to access, metering, size, etc.

Planner Scully said guest houses are permitted, with standards, in all residential zones except R-1. He provided some background and information about the existing ordinance. Then, he reviewed some of the issues. Some of these were as follows.

- There are only a few standards and that raises issues.
- Minimum lot size issue – guest houses are restricted to a minimum lot size of one acre.
- Maximum building size issue – ordinance allows a guest house of 1,000 square feet or 25% or the primary residence. Some houses are ten thousand square feet and that could mean a guest house of 2,000 to 2,500 square feet, which actually creates a zone change.
- Should the guest house be set up to serve only family or friends on a temporary basis?
- The standard of a guest house being a percentage of the main house indicates that the intent was for a guest house to be subordinate to the main house.
- Ordinances from other towns limit a property to one set of meters.
- Should we require off-street parking?
- Should we allow tandem parking?
- Should guest homes be a converted garage, detached building, or quarters in the main dwelling? Most communities limit them to detached structures.
- Most communities limit the number of driveways.
- Most communities specify using the same address.
- Would a manufactured home work as a guest home in areas where they are otherwise restricted?

The Commission engaged in discussion about how to tell if guest houses are guest houses or permanent residences and possible reasons for needing a guest house such as ill or aging parents or the trend for children to live at home longer. Also discussed was reasonableness of requiring separate addresses. One view was that if the guest house has a separate phone, 911 needs a separate address. Questions arose such as, would the cable company put two cables to one property.

Director Gehlert said that, if the Commission is serious about the rental issue, the size of the guest house is the crux of it and the smaller the better.

The Commission discussed a limitation of 750 square feet maximum size for the guest house. Some felt that might be too little if aging parents were living in it.

In general, the Commission members felt most of the staff recommendations were good. However, Commission members said they need more input on details.

Discussion regarding possible Wash and Hillside Protection ordinance.

Director Gehlert opened the agenda item saying it was an update on a topic discussed previously. City Council recently directed him to prepare a draft ordinance showing greater sensitivity to slopes and washes in the development stage. He said this was an F.Y.I. because it could become part of a future agenda item for the Commission.

Commissioner Lovett asked if there are currently no standards. Director Gehlert said the City has a flood ordinance and ADEQ and FEMA have regulations but there are no regulations regarding aesthetics.

Commissioner Fisher talked about building on washes, indicating that was OK in dry years but problematic when there are floods. Director Gehlert said certain encroachment is an entitlement. Commission members discussed past issues with builders building in the floodway and pushing the limits. Director Gehlert explained the difference between the flood plain, floodway, and flood fringe. You can build in fringe areas by engineering the structure to certain standards. He said the issue has to do with sensitivity more than the flood issue. It has to do with aesthetics – how it looks when it is done. When a developer asks for a zone change to increase density, we have more ability to ask them to stay away from the washes. Otherwise, the code does not give us much leverage.

Continued discussion regarding possible amendments to the PAD Code (Zoning Ordinance, Section 424).

Planner Scully said this item was discussed at the October and December Commission meetings. A draft was presented at the December meeting. He said he is looking for further comments from the Commission. He said it would help to look at the General Plan in the area of Community Vision where it talks about human scale, walkability, traffic calming, having desirable parks in the neighborhoods, small town qualities, etc. We would want to include these concepts in planned area developments.

Planner Scully raised the question of what makes a good PAD noting that some projects add density and not quality. He said this ordinance revision is an opportunity to get the things into a document in the beginning – ask them to expand on the information up front. He wants the language and direction from the General Plan to appear in the ordinance.

Commissioner Fisher said he wants to keep in mind the goal of retaining the small town atmosphere and hopes we are still interested in lifestyle issues and preserving values.

Mr. Scully said the market has its own ideas. We want to leave some flexibility to allow creativity in development but insure that we meet community goals. A PAD should be mutually beneficial. The developer has to respond to market needs. We have not defined qualities in the code that make it superior. He said the point is to get more in the same direction as the General Plan.

Chairperson Gillespie suggested putting some attachments with it saying what we expect to see and so we know they have read our General Plan. He does not understand where the General Plan talks about defined neighborhoods like Cottonwood Ranch. He reiterated to put something in front of the PAD because the General Plan does not say how to do it.

Commissioner Fisher said the original idea of the General Plan was that it was changeable and we need to review values. He also said that the developer should conform to the City - the City should not bend over backward to get a development – the City should be firmer.

Director Gehlert said we are not trying to rewrite the General Plan but to advocate it. We are trying to come up with a code that achieves that. State law mandates that the PAD meet the intent of the General Plan. Council wants code to attach to the review process. He noted that the smallest lot in the ordinance is 7,500 square feet and PADs usually ask for smaller lots. There are no district standards for that. A PAD is a zone change. It is a discretionary process. It is incumbent upon the developer to convince the Commission that the proposal achieves the objectives. The Commission does not have to approve it. They can ask for better visuals, more information, etc.

Chairperson Gillespie and Mr. Scully discussed the presentation. Mr. Scully asked if the Commission feels the PAD revisions are ready to move forward. Chairperson Gillespie said they are and staff should bring back the PAD amendment reflecting the tweaking discussed.

Commissioner Fisher asked about golf course standards. Mr. Scully said he proposes to add something in case someone proposes a golf course. Yavapai County has standards for environmentally friendly golf courses and he will put that in this document.

Continued discussion and possible recommendation regarding revisions to the City sign code (Zoning Ordinance, Section 405).

Director Gehlert said staff recently completed a public process for identifying issues relating to the sign code. He recapped the public meeting process and said they now have a recommendation. He will be meeting with the City Council on February 12 for a work session and present them with a list of “the top ten issues.” He read the “Summary Recommendations” to confirm that the Commission agrees before the list goes to Council. The top ten issues follow.

1. Revision to the definition of a “sign,” in order to clarify what a sign is, what type of outdoor signage, advertisement and décor are allowed, what is not allowed, what requires permits and what does not. Only conventional signage should be allowed by permit.

Director Gehlert commented that anything other than conventional signage would fall under the topic of decorations, advertisement, etc. Those would only be allowed as part of a special event permit, which is covered under item 2.

2. Allow other non-conventional signs, outdoor advertisement, and décor only in tandem with a Special Events Permit, which defines a geographic boundary, time and date intervals. Develop standards for “décor” which may be associated with special events (i.e., balloon height, lighting, etc.). Prohibit other inflatables, mascots and sign walkers for commercial promos. Create separate standards for community vs. commercial events.
3. Allow banners as “temporary signs” subject to approval of a temporary sign permit. Banners are currently prohibited by the code.
4. Clarify code to prohibit all moving (as well as animated) signs.
5. Possible revisions to the sign allowance; sign area; sign size; and sign height; as may be appropriate in view of larger building size. Similarly, we may want to consider a more appropriate cap for total building signage, individual tenant spaces, and for placement of signs interior to a plaza area or otherwise not visible from the street. Director Gehlert commented that this item would take a little bit to comb through but the others are about ready to move forward.
6. Allow the DRB to determine “sign area” and to combine signage allowances as appropriate (i.e., for two street frontages) rather than also require a Variance through the BOA. Murals and sign lighting issues should also be subject to DRB approval.
7. Establish standards for subdivision signs, name plaques and monuments
8. Refine any verbiage affecting billboards (i.e., eliminate content based restrictions, etc.)
9. Allow LED style / electronic messaging signs subject to Conditional Use Permit approval and specific standards for operation.
10. Other revisions which may be essential to the promotion of traffic safety, commerce, and aesthetics; consistency; enforceability; and elimination of redundancy in the code.

Commissioner Fisher said he distributed copies of an article from the Arizona Republic regarding Phoenix digital signs. He spoke about the large television screen type sign in Prescott Valley and expressed opposition to those types of signs because they are distractions.

Director Gehlert said the other things on his list were apart from the code issue. They were comments intended to address other signage issues.

- A City Street Sign Program to address the directional signage needs of remotely located public facilities as well as private services and attractions with high visitation.
- Old Town overlay which acknowledges historic characteristics and physical differences.
- More pro-active education (distribute info with business registrations, etc.).
- More pro-active enforcement. Establish means for weekend enforcement and removal of “impromptu” signs placed without permits in public rights-of-way.
- Re-examine fees for signs.
- Structural review of permits and inspection of signs (this would also impact fees).
- Create a more definitive sign permit form.
- Create a more expeditious process for issuance of banner permits.

Commissioner Smith referenced the Old Town overlay issue and suggested eliminating any reference to Old Town in the sign code, revising the portion about cantilevered signs so they would be allowed on any storefront in Cottonwood where the building abuts the public right-of-way. Director Gehlert said they would look at that but he is not sure how many instances of that exist.

Commissioner Fisher commented that the hardest part would be the education. He said Acme Pizza seemed to be doing well without the mascot. He also said that he attended the committee meetings and felt everyone had an opportunity to speak.

Chairperson Gillespie said staff is moving in the right direction. He invited comments from the public.

Jean Wilder said she was involved in the Flagstaff sign code revisions, which took two years. She said Cottonwood did a good job. Ms. Wilder complimented the Commission members for asking good questions, making good decisions, and their general care and concern for the community.

Discussion of possible future work sessions.

Director Gehlert said no work sessions were planned for the Commission. However, the Council would have one on the General Plan on February 7. He would present the sign code summary recommendations to the Council on February 12.

Informational Reports and Updates.

Director Gehlert reported on the following.

- The new City Manager is Doug Bartosh
- City Council would review implementation of elements of the General Plan on February 7 at 6:00 p.m. in the Public Safety conference room.
- In the future, the Commission would be reviewing plans for a mixed use but largely residential project by Larry Green. Chairperson Gillespie asked that the Commission receive copies of information from an earlier submittal and the resulting stipulations. Director Gehlert said he attended a community meeting on the proposal recently and about five or six people attended.
- They are beginning the rezoning process for the Recreation Center to rezone the site to CF (Community Facilities).
- Bella Montana, legally Verde Santa Fe North, submitted a request for a second access on Hwy. 89A. He talked about the history of this project and said Brookfield is currently the developer. He explained that Jay Stuckey was working with Kitchell to develop the commercial property with frontage along Hwy. 89A. Kitchell believes the second access is necessary for the project to be viable. ADOT is in the final stages of the access management plan for this section of highway and have it designated as rural. Kitchell wants the designation changed to urban and staff and Council think the request is reasonable.
- Commissioner Lovett announced a regional trails planning meeting on Thursday and commented that Cottonwood must get urban trails started to connect with public lands trails.
- Commissioner Kevin asked for an update on the Siler property. Mr. Scully said Mr. Nackard is waiting for people to vacate so he can assess the conditions. The good news is that it is in play.

Call to the Public

Jean Wilder spoke again and said that when she was retiring, Joe, an urban planner for NACOG, was happy to hear she was moving to Cottonwood because Cottonwood provides good services.

Adjournment

Chairperson Gillespie adjourned the meeting at 8:24 p.m.

Minutes prepared by:

Carol Hulse, Planning Technician

Date Approved:
